

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:10-CV-00022**

NEW NGC, INC.,

**Plaintiff,**

**v.**

ACE AMERICAN INSURANCE  
COMPANY, NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURGH, P.A.

**Defendants.**

**ORDER**

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The Court **ORDERS** the parties to submit a status report on or before February 15, 2016. New NGC, Inc. (“NGC”) and National Union Insurance Co. of Pittsburgh, P.A. (“National Union”) have engaged in settlement negotiations with a private mediator and had until close of business on January 8, 2016 to accept or decline the mediator’s recommendation. (Doc. 152). If NGC and National Union do not reach an agreement, they state that they will meet and confer and ultimately submit a proposed pre-trial and trial plan for the Court’s consideration. *Id.* NGC and Ace American Insurance Company (“ACE”) have been working on finalizing a stipulation for submission to the Court and request additional time to do so. *Id.*

All parties have until February 15, 2016 to update the Court regarding their progress. Specifically, NGC and National Union should file a Notice of Settlement and Stipulation of Dismissal if they reach an agreement. If they do not reach an agreement, they should re-engage in active litigation by meeting and conferring regarding a proposed pre-trial and trial plan. NGC and ACE should file the stipulation.

**SO ORDERED.**

Signed: January 13, 2016

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line drawn through the middle of the letters.

Richard L. Voorhees  
United States District Judge

